

REMARKS

Claims 1-11, 15-17 and 19-21 are pending.

Claims 12-14 and 18 have been cancelled.

Claim 22 has been added.

In the Office Action dated April 16, 2009, claims 1-21 were rejected on the grounds of nonstatutory obviousness-type double patenting and claims 1-21 were rejected under 35 U.S.C. § 101; claims 1-21 were rejected under 35 U.S.C. § 112, ¶ 2.

OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION

Claims 1-21 of the present application were rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-23 of U.S. Patent No. 7,313,238. In view of the amendments made herein, it is respectfully submitted that the obviousness-type double patenting rejection has been rendered moot.

More specifically, it is respectfully submitted that the claims of U.S. Patent No. 7,313,238 do not teach: providing information to a user that allows determining a limited number of previous keys in a series of keys from a later key in the series, and providing a generated key in the series to the user to allow a determination of at least one key in the limited number of previous keys in the series by applying the information to the generated key in the series provided to the user (claim 1); or providing to the user the later version of the key (K_{i+n}) to allow a determination of a particular version of the key from (K_i - K_{i+n-1}), inclusive, by applying one of the later versions of the key rotation element to a given version of the key from (K_{i+1} - K_{i+n}), inclusive, where the given version of the key is later than the particular version of the key (claim 8); or generating a key rotation exponent, where the key rotation exponent allows previous versions of the file key to be determined, where a first version of the file key is computable from the generated file key and the generated key rotation exponent, and a second version earlier than the first version of the key file is computable from the first previous version of the file key and a previous version of a key rotation exponent (claim 15).

Withdrawal of the obviousness-type double patenting rejection is therefore respectfully requested.

REJECTION UNDER 35 U.S.C. § 101

Independent method claims 1, 8 and 15 have been amended to tie the respective processes to a machine, which in the case of the present claims is a computer system. It is believed that this amendment is consistent with the suggestion made in the Office Action that the process of these claims should be tied to a particular machine.

In view of the amendments, it is respectfully requested that the § 101 rejection be withdrawn.

REJECTION UNDER 35 U.S.C. § 112, ¶ 2

Each of the independent claims have been amended to address the § 112, ¶ 2 rejections.

With respect to claim 1, the language “wherein said information is derived from at least one of said limited number of previous key in said series” has been deleted in the first clause of claim 1.

The Office Action also stated that the “providing said key” clause of claim 1 is unclear because it did not specifically refer to a key recited in the earlier elements of claim 1. That has been addressed by changing this clause to read “providing said generated key.”

Claim 8 has been amended to recite a more specific relationship between determination of a particular version of the key from $(K_i - K_{i+n-1})$, inclusive, by application of one of the later versions of the key rotation element to a given version of the key from $(K_{i+1} - K_{i+n})$, inclusive, where the given version of the key is later than the particular version of the key. Claim 8 also now specifies that a predetermined function is used to determine later versions of the key rotation element, but previous versions of the key rotation element are not determinable using the predetermined function. This language of claim 8 is supported by the following passage of the specification: p. 15, line 17-p. 16, line 2.

With respect to claim 15, the language “but no file keys further back” has been deleted.

Appl. No.: 10/624,403
Amendment Dated: July 16, 2009
Reply to Office Action of April 16, 2009

In view of the foregoing, withdrawal of the § 112 rejections is respectfully requested.

In view of the foregoing, allowance of all claims is respectfully requested.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 08-2025 (200311171-1).

Respectfully submitted,

Date: July 16, 2009

/Dan C. Hu/

Dan C. Hu
Registration No. 40,025
TROP, PRUNER & HU, P.C.
1616 South Voss Road, Suite 750
Houston, TX 77057-2631
Telephone: (713) 468-8880
Facsimile: (713) 468-8883